#### Case 15-31594 Document 60 Filed in TXSB on 06/09/15 Page 1 of 5

Case 15-31594 Document 59 Filed in TXSB on 06/09/15 Page 1 of 5



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# IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS

IN RE:

§

CASE NO. 15-31594-H4-7

DAVID G. WALLACE, JR.,

§

**DEBTOR** 

AGREED ORDER LIFTING STAY TO ALLOW BIZRADIO NOTEHOLDERS' TO SEEK RELIEF AND CLARIFICATION OF JUDGE ATLAS'S ORDER APPROVING SETTLEMENT AND ENTERING FINAL BAR ORDER AND INJUNCTION IN FEDERAL DISTRICT COURT ACTION

CAME ON FOR HEARING on June 9, 2015, the Emergency Motion to Lift Stay To Seek Relief and Clarification of Judge Atlas's Order Approving Settlement and Entering Final Bar Order and Injunction entered on August 1, 2012 in Civil Action No. 4:09-cv-03674 in the United States District Court for the Southern District of Texas, Houston Division (the "District Court Action") filed by the BusinessRadio Note Holders set forth in Exhibit A attached hereto ("BusinessRadio Noteholders" or "Movants") (the "Motion"). Responses were filed by Thomas L. Taylor, Receiver (the "Receiver") and the Debtor. The Movants, the Debtor, the Receiver and the Trustee have agreed to entry of this Order granting limited relief from the automatic stay, on the terms and conditions set forth herein. Based on the agreement of the parties, it is hereby

ORDERED that the automatic stay is lifted/modified for the limited purpose of allowing the BusinessRadio Note Holders set forth in Exhibit A attached hereto to file pleadings in the District Court Action which seek to obtain relief, clarification and modification of the Bar Order (as defined in the Motion), which relief may include asking the District Court for permission to file proofs of claim in this bankruptcy case and to file and prosecute discharge actions against the Debtor in this bankruptcy case. The Receiver, Trustee, and the Debtor fully reserve all rights to contest any Motion filed by Movants in the District Court Action.

The 14 day stay of this Order is waived.

1

## Case 15-31594 Document 60 Filed in TXSB on 06/09/15 Page 2 of 5

Case 15-31594 Document 59 Filed in TXSB on 06/09/15 Page 2 of 5

HONORABLE JEFF BOHM UNITED STATES BANKRUPTCY JUDGE:

AGREED AS TO FORM AND SUBSTANCE:

/s/ C. Thomas Schmidt

C. Thomas Schmidt State Bar No. 00797386 Schmidt Law Firm, PLLC 7880 San Felipe, Suite 210 Houston, Texas 77063 firm@schmidtfirm.com Telephone: (713) 568-4899 Facsimile: (815-301-9000

COUNSEL FOR THE BIZRADIO NOTEHOLDERS ON EXHIBIT A

By: /s/ Joseph G. Epstein Joseph G. Epstein Texas Bar No. 06639320 S.D. Tex. No. 11733 WINSTEAD PC 1100 JPMorgan Chase Tower 600 Travis Street Houston, Texas 77002 (713) 650-8400 (Telephone) (713) 650-2400 (Facsimile) COUNSEL FOR THOMAS L. TAYLOR, COURT APPOINTED RECEIVER

## Case 15-31594 Document 60 Filed in TXSB on 06/09/15 Page 3 of 5

Case 15-31594 Document 59 Filed in TXSB on 06/09/15 Page 3 of 5

#### DIAMOND McCARTHY LLP

By: /s/ Charles M. Rubio
Kyung S. Lee
TBA No. 12128400
klee@diamondmccarthy.com
713) 333-5125
Charles M. Rubio
TBA No. 24083768
crubio@diamondmccarthy.com
(713) 333-5127
909 Fannin, Suite 1500
Houston, Texas 77010
(713) 333-5100 Telephone
(713) 333-5195 Facsimile

PROPOSED COÚNSEL TO RODNEY D. TOW, CHAPTER 7 TRUSTEE

By: /s/ Wayne Kitchens
HUGHES WATTERS ASKANASE LLP
Wayne Kitchens, TBN: 11541110
wkitchens@hwa.com
Three Allen Center
333 Clay, 29<sup>th</sup> Floor
Houston, Texas 77002
(713) 759-0818 Telephone
(713) 759-6834 Facsimile
ATTORNEYS FOR DAVID G. WALLACE, JR.

Case 15-31594 Document 59 Filed in TXSB on 06/09/15 Page 4 of 5

## **EXHIBIT A**

The following chart shows the names of the Priority Secured Noteholders and the amounts of their Secured Notes:

Name:	Total Security Interest:	Exhibit No.:
Kohur Subramanian	513,031.82	3
JE Gauntt	630,000.00	4
Richard Kadlick	400,000.00	5
Philip & Alisa Jones	165,000.00	
Robert Ficks	300,000.00	7
Marcus Erickson	298,000.00	
Ronald Ellisor	260,000.00	8
Florence Reiley	235,000.00	9
James & Pat Stewart	200,000.00	10
John Willis	200,000.00	
Ray Warner	200,000.00	
George & Marene Tompkins	200,000.00	
Stephen Cook	200,000.00	11
Paul & Simona Williams	140,000.00	
Ed & Helena Gray	125,000.00	12
Paul & Simona Williams	119,744.14	13
Doug & Kay Shaffer	100,000.00	14
Kevin Deering	100,000.00	15
Larry Mullins	100,000.00	16
, Martin Grosboll	50,000.00	17

# Case 15-31594 Document 60 Filed in TXSB on 06/09/15 Page 5 of 5

Case 15-31594 Document 59 Filed in TXSB on 06/09/15 Page 5 of 5

Ramesh Konduri	45,000.00	18
Tim Koehl	30,000.00	19
Alisa K. Jones	9,675.00	20
TOTAL:	\$4,620,450.96	